

PRO\_SE,CIVIL,CLOSED

**U.S. District Court  
Eastern District of California – Live System (Sacramento)  
CIVIL DOCKET FOR CASE #: 2:11-cv-01491-KJM-EFB**

(PS) Becker v. United States Attorneys, et al  
Assigned to: Judge Kimberly J. Mueller  
Referred to: Magistrate Judge Edmund F. Brennan  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/02/2011  
Date Terminated: 12/15/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Dennly R. Becker**

represented by **Dennly R. Becker**  
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PRO SE

V.

**Defendant**

**United States Attorneys**  
*Executive Office*

represented by **Yoshinori H. T. Himel**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****United States Department of Justice**

represented by **Yoshinori H. T. Himel**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/02/2011	<u>1</u>	COMPLAINT against all defendants by plaintiff Dennly R. Becker; DECLARATION in support. (Attachments: # <u>1</u> Civil Cover Sheet) (Marciel, M) (Entered: 06/02/2011)
06/02/2011	<u>2</u>	SUMMONS ISSUED as to *United States Attorneys, United States Department of Justice* with answer to complaint due within *60* days. Attorney *Dennly R. Becker, In Pro Se* *5462 Betty Circle* *Livermore, CA 94550*. (Marciel, M) (Entered: 06/02/2011)
06/02/2011		RECEIPT number # CAE200036004 \$350.00 fbo and by plaintiff Dennly R. Becker on 6/2/2011. (Marciel, M) (Entered: 06/02/2011)
06/02/2011	<u>3</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 10/12/2011 at 10:00 AM in Courtroom 24 (EFB) before Magistrate Judge Edmund F. Brennan. (Attachments: # <u>1</u> Consent Form) (Marciel, M) (Entered: 06/02/2011)
06/02/2011		SERVICE at INTAKE COUNTER: <u>2</u> Summons and <u>3</u> Civil New Case Documents for KJM served on plaintiff Dennly R. Becker. (Marciel, M) (Entered: 06/02/2011)

06/06/2011	<u>5</u>	DECLINE to PROCEED BEFORE US MAGISTRATE JUDGE by Dennly R. Becker. (Michel, G) (Entered: 06/07/2011)
06/06/2011	<u>6</u>	MOTION for ORDER to COMPEL answer to pltf's complaint within 30 days by Dennly R. Becker. (Michel, G) (Entered: 06/07/2011)
06/07/2011	<u>4</u>	NOTICE of RELATED CASE 2:10-CV-02799 by Dennly R. Becker. (Michel, G) (Entered: 06/07/2011)
06/20/2011	<u>7</u>	NON-RELATED CASE ORDER signed by Senior Judge Lawrence K. Karlton on 06/17/11. The court has determined that it is inappropriate to relate or reassign the cases, and therefore declines to do so. (Michel, G) (Entered: 06/20/2011)
06/20/2011		SERVICE BY MAIL: <u>7</u> Order served on Dennly R. Becker. (Michel, G) (Entered: 06/20/2011)
06/21/2011	<u>8</u>	NOTICE of APPEARANCE by Yoshinori H. T. Himel on behalf of United States Attorneys, United States Department of Justice. Attorney Himel, Yoshinori H. T. added. (Himel, Yoshinori) (Entered: 06/21/2011)
06/22/2011	<u>9</u>	ORDER signed by Magistrate Judge Edmund F. Brennan on 6/21/2011 DENYING plaintiff's <u>6</u> Motion to Compel defendant to Answer w/in 30 days as MOOT. (Marciel, M) (Entered: 06/22/2011)
06/22/2011		SERVICE BY MAIL: <u>9</u> Order denying Motion to Compel served on plaintiff Dennly R. Becker. (Marciel, M) (Entered: 06/22/2011)
07/06/2011	<u>10</u>	MOTION to DISMISS for LACK of JURISDICTION and for Summary Judgment by United States Department of Justice. Motion Hearing set for 8/10/2011 at 10:00 AM in Courtroom 24 (EFB) before Magistrate Judge Edmund F. Brennan. (Attachments: # <u>1</u> Statement Undisputed Facts # <u>2</u> Declaration of David Luczynski ( Himel, Yoshinori) Modified on 7/7/2011 (Duong, D). (Entered: 07/06/2011)
07/11/2011	<u>11</u>	OPPOSITION by Plaintiff Dennly R. Becker to <u>10</u> MOTION to DISMISS for LACK of JURISDICTION <i>and for Summary Judgment</i> . (Meuleman, A) (Entered: 07/12/2011)
08/01/2011	<u>12</u>	MOTION to allow late filing of opposition to <u>10</u> defendant's motion for dismissal, by Dennly R. Becker. (Kastilahn, A) (Entered: 08/02/2011)
08/01/2011	<u>13</u>	OPPOSITION by Dennly R. Becker to <u>10</u> MOTION to DISMISS.(Kastilahn, A) (Entered: 08/02/2011)
08/03/2011	<u>14</u>	REPLY by United States Department of Justice re <u>13</u> Opposition to Motion. (Himel, Yoshinori) (Entered: 08/03/2011)
08/09/2011	<u>15</u>	ORDER and FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Edmund F. Brennan on 8/8/2011 ORDERING that the 8/10/2011 hearing on dfts' <u>10</u> motion for dismissal and summary judgment is VACATED. Pltf's <u>12</u> request to allow a late filing of his opposition is GRANTED. The status conference currently set for 10/12/2011 is VACATED. IT IS HEREBY RECOMMENDED that the DOJ's <u>10</u> motion for dismissal of EOUSA be granted and the DOJ be substituted as the proper dft. The <u>13</u> motion for summary judgment be granted. Pltf's <u>13</u> request for fees and costs be denied. The Clerk be directed to enter judgment for the DOJ and close this case. Motions referred to Judge Kimberly J. Mueller. Objections to FRdue within 14 days. (Zignago, K.) (Entered: 08/09/2011)
08/09/2011		SERVICE BY MAIL: <u>15</u> Order and Findings and Recommendations served on Dennly R. Becker. (Zignago, K.) (Entered: 08/09/2011)
09/28/2011	<u>16</u>	STATUS REPORT by United States Attorneys, United States Department of Justice. (Himel, Yoshinori) (Entered: 09/28/2011)
09/28/2011	<u>17</u>	MINUTE ORDER by CRD: In light of the August 9, 2011 order vacating the October 12, 2011 status conference <u>15</u> , defendant's request to vacate that status conference <u>16</u> is denied as moot. (Text only entry) (Cannarozzi, N) (Entered: 09/28/2011)

09/28/2011		SERVICE BY MAIL: 17 Minute Order served on Dennly R. Becker. (Cannarozzi, N) (Entered: 09/28/2011)
10/24/2011	<u>18</u>	MOTION to AMEND the <u>1</u> Complaint by Dennly R. Becker. Motion Hearing set for 12/14/11 at 10:00 AM in Courtroom 24 (EFB) before Magistrate Judge Edmund F. Brennan. (Attachments: # <u>1</u> Proposed Amended Complaint)(Benson, A.) (Entered: 10/25/2011)
11/29/2011	19	MINUTE ORDER by CRD: In light of the pending findings and recommendations <u>15</u> , theDecember 14, 2011 hearing on plaintiff's motion to amend <u>18</u> iscontinued to February 22, 2012 at 10:00 a.m. in Courtroom 24 (EFB) before Magistrate Judge Edmund F. Brennan. (Text only entry) (Cannarozzi, N) (Entered: 11/29/2011)
11/29/2011		SERVICE BY MAIL: 19 Minute Order served on Dennly R. Becker. (Cannarozzi, N) (Entered: 11/29/2011)
12/15/2011	<u>20</u>	ORDER signed by Judge Kimberly J. Mueller on 12/14/2011 ORDERING that the <u>15</u> Findings and Recommendations filed August 9, 2011, are ADOPTED. The DOJ's <u>10</u> motion for dismissal of defendant EOUSA is GRANTED. EOUSA is dismissed from this action; and the DOJ is substituted as the proper defendant. The DOJ's <u>10</u> motion for summary judgment is GRANTED. Plaintiff's <u>13</u> request for fees and costs is DENIED. Plaintiff's <u>18</u> motion to amend the complaint is DENIED. The Clerk is directed to enter judgment for the DOJ and close this case. CASE CLOSED. (Duong, D) (Entered: 12/15/2011)
12/15/2011	<u>21</u>	JUDGMENT dated *12/15/2011* entered pursuant to order signed by Judge Kimberly J. Mueller on 12/14/2011. (Duong, D) (Entered: 12/15/2011)
12/15/2011		SERVICE BY MAIL: <u>20</u> Order Adopting Findings and Recommendations and <u>21</u> Judgment served on Dennly R. Becker. (Duong, D) (Entered: 12/15/2011)